THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.15522 OF 2006

ORAL ORDER:

This writ petition filed seeking a declaration that the action of the respondents in seizing the petitioner's vehicle bearing registration No.MH 21-5755 vide vehicle check report No.1409881, dated 6.7.2006, is arbitrary and illegal.

The check report dated 6.7.2006, shows that the vehicle was seized on the allegation that the vehicle was plying from N.I.R.D. Rajendranagar to Vijayanagar Colony to Peddapalli, without RC., Fitness Certificate, Permit, Insurance Certificate, PUC Certificate and tax proof.

Having regard to the nature of the controversy involved and having heard learned Government Pleader appearing for Transport and keeping in view that the allegations are required to be enquired into by the competent authority, I deem it appropriate to direct the respondents to release the vehicle in question, subject to the condition that the petitioner deposits a sum of Rs.5,000/- (rupees ten thousand only), and also furnishing an undertaking that he will not alienate, transfer, encumber or create any third party interest over the vehicle in question till final orders are passed. It is made clear that the amount deposited in pursuance of the orders of this Court shall be subject to the out come of the enquiry. It is also made clear that the petitioner shall continue to pay quarterly tax till the completion of the enquiry.

Accordingly, the writ petition is disposed of leaving it open to respondents to proceed with the enquiry in accordance with law. No costs.

(G. ROHINI, J.)

27th July, 2006.

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.15522 OF 2006

27th July, 2006.

Between:

Naser Bin Jaffer. .. Petitioner.

And

The Assistant Secretary, Regional Transport Authority, (South Zone) Kishanbagh, Hyderabad and another. .. Respondents.